

- EXHIBIT A -

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

CARMEN ALLEN,

Plaintiff,

-against-

NYC SHOPRITE ASSOCIATES, INC.,

Defendant.

Index No.

**Plaintiff designates Kings
County as the place of trial.**

**The basis of venue is
plaintiff's residence.**

SUMMONS

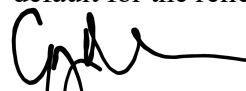
**Plaintiff resides in Kings
County, State of New York**

COUNTY OF KINGS

To the above-named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: March 15, 2022


NEWMAN, ANZALONE & NEWMAN, LLP
Attorneys for the Plaintiff
Office and Post Office Address
95-25 Queens Boulevard
11th Floor
Rego Park, New York 11374

DEFENDANT'S ADDRESS:

NYC SHOPRITE ASSOCIATES, INC.

c/o Secretary of State
Albany, New York

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

CARMEN ALLEN,

Plaintiff,

VERIFIED COMPLAINT

-against-

Index No.:

NYC SHOPRITE ASSOCIATES, INC.,

Defendant.

Plaintiff, **CARMEN ALLEN**, through her attorneys, Newman, Anzalone & Newman, LLP, as and for her Complaint, states as follows upon information and belief:

1. That at all times mentioned herein, Plaintiff was and still is a resident of the County of Kings, City and State of New York.

2. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was and still is a domestic corporation organized under and existing pursuant to the laws of the State of New York.

3. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was and still is a foreign corporation authorized to do business in the State of New York.

4. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was and still is a partnership transacting business in the State of New York.

5. Upon information and belief, that at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was and still is a business entity transacting business in the State of New York.

6. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, owned a certain supermarket open to the general public, located at the premises located at 1080 McDonald Avenue, in the County of Kings, City and State of New York.

7. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was doing business as ShopRite of Avenue I Store # 218, at the premises located at 1080 McDonald Avenue, in the County of Kings, City and State of New York

8. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, operated the aforementioned supermarket premises.

9. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, managed the aforementioned supermarket premises.

10. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, possessed the aforementioned supermarket premises.

11. That upon information and belief, and at all times herein mentioned, the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, controlled the aforementioned supermarket premises.

12. That at all times herein mentioned, the Plaintiff, **CARMEN ALLEN**, was a lawful patron shopping within the aforementioned supermarket premises, at the implied request and invitation of the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**

13. That on the 9th day of June, 2021, while the Plaintiff, **CARMEN ALLEN**, was lawfully shopping within the Defendant's supermarket premises located at 1080 McDonald Avenue, in the County of Kings, City and State of New York, suddenly and without any warning or notice, she was caused to trip and fall as a result of a portion of metal protruding from a freezer located within said supermarket premises, thereby causing her to sustain the serious injuries and damages as herein alleged.

14. That the Defendant, **NYC SHOPRITE ASSOCIATES, INC.**, was at all times under a duty to provide the Plaintiff with a safe area to traverse while shopping within the Defendant's supermarket premises.

15. That said accident and the injuries and damages resulting to the Plaintiff therefrom, were due wholly and solely to the negligence, carelessness and/or recklessness of the Defendant, its agents, servants and/or employees, without any fault on the part of the Plaintiff contributing thereto.

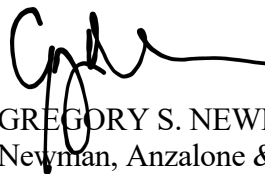
16. That solely by reason of the aforesaid, the Plaintiff, **CARMEN ALLEN**, sustained and suffered certain and severe permanent personal injuries to her body, and limbs, and a severe shock to her nervous system, and her said injuries are, in part, of a permanent nature, and causing said Plaintiff to become sick, sore, lame and disabled for a long period of time after said accident.

17. That by reason of the foregoing, Plaintiff, **CARMEN ALLEN**, was rendered sick, sore, lame and disabled, and suffered severe, painful and permanent injuries to various parts of her person with accompanying pain; that Plaintiff continues to be sick, sore, lame and disabled, she has been incapacitated and has expended and become obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable and continues to be unable for some time to come, to pursue her usual activities and daily duties.

WHEREFORE, Plaintiff, **CARMEN ALLEN**, has sustained injuries and damages in a sum greater than the jurisdictional limits of any lower court and as such, demands judgment on all causes of action stated herein against the Defendant.

Dated: Rego Park, New York
March 15, 2022

Yours, Etc.



GREGORY S. NEWMAN, ESQ.
Newman, Anzalone & Newman, LLP
Attorneys for Plaintiff
95-25 Queens Boulevard
11th Floor
Rego Park, NY 11374
(718) 896-2700

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF QUEENS)

I, GREGORY S. NEWMAN, ESQ., an attorney admitted to practice in the courts of New York State, state:

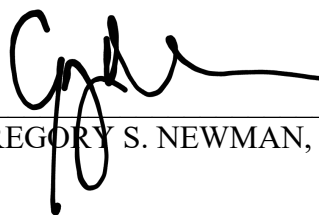
I am a member of the firm, **NEWMAN, ANZALONE & NEWMAN, LLP**, the attorneys of record for the Plaintiff in the within action; I have read the foregoing **SUMMONS AND VERIFIED COMPLAINT** and know the contents thereof; and the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. The reason this verification is made by me and not by the Plaintiff is that the Plaintiff resides outside the county wherein I maintain office.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows: information gathered in my file.

I am over 18 years of age, I am not a party to the action, and I reside in Suffolk County in the State of New York.

Dated: Rego Park, New York

March 15, 2022



GREGORY S. NEWMAN, ESQ.

Index No.:

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

CARMEN ALLEN,

Plaintiff,

-against-

NYC SHOPRITE ASSOCIATES, INC.,

Defendant.

SUMMONS AND VERIFIED COMPLAINT

NEWMAN, ANZALONE & NEWMAN LLP

Attorneys for Plaintiff

95-25 Queens Boulevard, 11th Floor

Rego Park, New York 11374

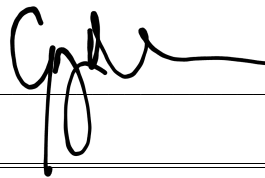
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Pursuant to 22 NYCRR 130.1-1, the undersigned, an attorney admitted to practice in the Courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: 03/15/2022

Signed:



Service of a copy of the within

Dated:

Signed: